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development of weapons delivery systems. In addition, the agreement will permit the United States to transfer by sale, loan or lease, nonnuclear parts of atomic weapons systems in order to improve the state of training and operational readiness of the French military forces.

I wish to emphasize that nothing in this agreement provides for, or permits, the transfer of atomic weapons or any parts of an atomic weapon.

The nonnuclear parts of atomic weapons systems which may be transferred, and to which I have referred, consists of aircraft or missile-launching devices as distinct from parts of a bomb and also various lugs and other devices for attaching the bomb to its plane or its carrier. This will permit the French delivery systems to be readily adaptable to delivering our nuclear weapons in the event of an emergency.

I wish to emphasize also that the information which may be transmitted to the French under this agreement does not involve information which will assist France in the design, development or fabrication of nuclear weapons.

In his message to the Congress, when he submitted the agreement, the President of the United States called attention to the gravity of the current international situation and the role of France in firmly supporting the United States in the current Berlin crisis. The President urged the Congress to take appropriate action to permit the agreement to take effect this session.

House Joint Resolution 569 would waive the 60-day waiting period of section 123 of the Atomic Energy Act and would permit the agreement to take effect without the statutory waiting period.

Mr. President, I recommend that the Senate approve House Joint Resolution 569.

Mr. HICKENLOOPER. Mr. President, I have always been hesitant about disseminating information concerning nuclear weapons to other nations. I have been hesitant because I have not wanted to encourage or assist the discrimination to other nations of information which would develop their nuclear weapon capability. I have also been reluctant to disseminate nuclear weapon information because I do not want classified information concerning our weapons to fall into the hands of our enemies. It has been my strong conviction that classified information concerning nuclear weapons should be carefully guarded and its dissemination extremely limited to those persons within our own Government who have the need to know.

I am supporting the proposed agreement with France on the basis of assurances received from representatives of the Department of State, the Department of Defense, and the AEC that the information to be communicated, pursuant to this agreement, will not include sensitive information for the purpose of assisting the French in the design, development, or fabrication of nuclear weapons. Under the Atomic Energy Act of 1954 the transfer of such information would not be permitted. I am also supporting the agreement on the basis of

the assurance I have received that the information and equipment to be transferred will be properly protected in accordance with the standards required by the United States.

I am supporting the joint resolution to permit the agreement to take effect without the required 60-day waiting period on the basis of the message from the President informing us that he believes it is necessary in our national interest.

Based upon all these positive and strong assurances from the executive branch of the Government, including the President, that the execution and implementation of this agreement within the limitations which they set out is important for our national defense and our national security, I shall support the passage of this measure.

The PRESIDING OFFICER. The question is on the third reading of the joint resolution.

#### LIMITATION OF NUMBER OF POSITIONS IN TOP GRADES OF CLASSIFICATION ACT OF 1949

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, Senate bill 1732, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1732) to increase the limitation of the number of positions that may be placed in the top grades of the Classification Act of 1949, as amended, and the limitation on the number of research and development positions of scientists and engineers for which special rates of pay are authorized; to fix the compensation of hearing examiners; and for other purposes.

#### ATOMIC ENERGY AGREEMENT BETWEEN THE UNITED STATES AND FRANCE

Mr. MANSFIELD. Mr. President, I move that the pending business be temporarily laid aside, and that the Senate resume the consideration of House Joint Resolution 569.

The motion was agreed to; and the Senate resumed the consideration of the joint resolution (H.J. Res. 569) to waive certain provisions of the Atomic Energy Act of 1954 so as to permit the agreement for cooperation between the United States and France to be made immediately effective.

Mr. GORE. Mr. President, it was my honor and duty to present the pending joint resolution to the Senate on behalf of the Joint Committee on Atomic Energy. Like the distinguished vice chairman, the Senator from Rhode Island, and the distinguished senior Senator from Iowa, I support this joint resolution. It was presented to the Congress by the President of the United States as a priority item for national and international security. It was upon that basis that the Joint Committee on Atomic Energy recommended affirmative action by Congress, in order to give to this joint resolution its approval.

Like other Members of Congress, I have been greatly concerned with the security requirements of our nuclear weapons program. It has been with some feeling of uneasiness that we have entered into bilateral agreements with several other countries. I must confess that it is with some feeling of chance taking that I shall give my approval now to this bilateral agreement with our ally and friend, France. But I resolve the doubts in favor of this measure, and I do so not without, in my view, good cause.

We were given all reasonable assurances that the security of this information will be preserved; and I act upon those assurances, as the distinguished senior Senator from Iowa says he acts upon them. The exchange of this information and this degree of cooperation between the United States and France and between the United States and its NATO allies are necessary in order to implement and augment the NATO forces in Western Europe.

Therefore, Mr. President, I support the joint resolution, and commend it to the favorable consideration of the Senate.

The PRESIDING OFFICER. The question is on the third reading of the joint resolution.

The joint resolution (H.J. Res. 569) was ordered to a third reading, was read the third time, and passed.

Mr. PASTORE. Mr. President, in view of the fact that the Senate has now taken action on House Joint Resolution 569, which is identical with the corresponding Senate measure, I now ask that Calendar No. 1017, Senate Joint Resolution 135, to waive certain provisions of the Atomic Energy Act of 1954 so as to permit the agreement for cooperation between the United States and France to be made immediately effective, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXTENSION OF APPLICATION OF CHAPTER 37 OF TITLE 18, UNITED STATES CODE, RELATING TO ESPIONAGE AND CENSORSHIP

Mr. ANDERSON. Mr. President, recently the Senate passed Senate bill 1895, during the call of the calendar. An identical House bill is pending in the Senate Judiciary Committee. I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of House bill 2730, an identical House bill, and that the Senate now proceed to its consideration, so that it may be passed.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H.R. 2730) to repeal section 791 of title 18 of the United States Code so as to extend the application of chapter 37 of title 18, relating to espionage and censorship.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 2730) was ordered to a third reading, was read the third time, and passed.

U.S. ARMS CONTROL AGENCY

Mr. FULBRIGHT. Mr. President, I move that the Senate proceed to the consideration of House bill 9118, to establish a U.S. Arms Control Agency.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 9118) to establish a U.S. Arms Control Agency, which was read twice by its title.

Mr. FULBRIGHT. Mr. President, this bill was only recently passed by the House of Representatives.

I move that all after the enacting clause of the bill be stricken out, and that there be inserted in lieu thereof the text of Senate bill 2180, to establish a U.S. Disarmament Agency for World Peace and Security.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arkansas.

The motion was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 9118) was read the third time and passed.

The PRESIDING OFFICER. Without objection, the title to H.R. 9118 will be amended to read "to establish a U.S. Disarmament Agency for World Peace and Security."

Mr. FULBRIGHT. Mr. President, I move that the Senate insist upon its amendment, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. FULBRIGHT, Mr. SPARKMAN, Mr. HUMPHREY, Mr. SYMINGTON, Mr. WILEY, and Mr. HICKENLOOPER the conferees on the part of the Senate.

PARTICIPATION IN INTER-AMERICAN CHILDREN'S INSTITUTE

Mr. FULBRIGHT. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate Joint Resolution 66.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the joint resolution (S.J. Res. 66) to amend the joint resolution providing for membership and participation by the United States in the Inter-American Children's Institute, which was, to strike out all after the enacting clause and insert:

That the Act of February 16, 1960 (74 Stat. 3), which amended the Act of May 3, 1928, as amended (22 U.S.C. 269b), is hereby amended by deleting the phrase "for the fiscal years 1961 and 1962" and inserting in lieu thereof the phrase "for the fiscal years 1963 and 1964".

Mr. FULBRIGHT. Mr. President, I move that the Senate concur in the House amendment.

The law providing for membership and participation by the United States in the Inter-American Children's Institute au-

thorizes the appropriation of not to exceed \$50,000 per fiscal year for the fiscal years 1961 and 1962. At the request of the Department of State, the Senate earlier this year approved an amendment striking out the reference to fiscal years 1961 and 1962. The House amendment similarly strikes out this reference, but inserts the phrase "fiscal years 1963 and 1964." The amendment enables the United States to continue participation in the activities of the Children's Institute until the end of 1963.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arkansas.

The motion was agreed to.

EXECUTIVE SESSION

Mr. ANDERSON. Mr. President, I move that the Senate resume the consideration of executive business, to consider the nomination of Philleo Nash, of Wisconsin, to be Commissioner of Indian Affairs.

The motion was agreed to; and the Senate resumed the consideration of executive business.

COMMISSIONER OF INDIAN AFFAIRS

The legislative clerk read the nomination of Philleo Nash, of Wisconsin, to be Commissioner of Indian Affairs.

Mr. ANDERSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 215]

Aiken	Gore	Monroney
Anderson	Hart	Mundt
Bartlett	Hayden	Pastore
Beall	Hickenlooper	Pell
Bennett	Hill	Prouty
Bible	Holland	Proxmire
Boggs	Hruska	Randolph
Byrd, Va.	Humphrey	Robertson
Byrd, W. Va.	Jackson	Russell
Cannon	Johnston	Saltonstall
Capehart	Jordan	Scott
Carlson	Keating	Smathers
Carroll	Kefauver	Smith, Mass.
Case, N.J.	Kerr	Smith, Maine
Case, S. Dak.	Kuchel	Sparkman
Cooper	Lausche	Stennis
Cotton	Long, Mo.	Symington
Curtis	Long, Hawaii	Talmadge
Dodd	Magnuson	Thurmond
Douglas	Mansfield	Tower
Dworshak	McCarthy	Wiley
Eastland	McClellan	Williams, N.J.
Engle	McGee	Williams, Del.
Ervin	McNamara	Yarborough
Fong	Metcalf	Young, N. Dak.
Fulbright	Miller	Young, Ohio

Mr. HUMPHREY. I announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], the Senator from Wyoming [Mr. HICKEY], the Senator from Louisiana [Mr. LONG], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], and the Senator from Oregon [Mrs. NEUBERGER] are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] and the Senator from Kansas [Mr. SCHOEPPPEL] are absent by leave of the Senate to attend the Interparliamentary Conference in Brussels.

The Senator from Maryland [Mr. BUTLER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Arizona [Mr. GOLDWATER], the Senator from New York [Mr. JAVITS], and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The Senator from Connecticut [Mr. BUSH] is absent by leave of the Senate to attend the Conference of the International Fund and World Bank in Vienna.

The PRESIDING OFFICER. A quorum is present.

Mr. ANDERSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ANDERSON. Is the Senate now in executive session?

The PRESIDING OFFICER. The Senate is in executive session. The Senate will be in order.

Mr. ANDERSON. Mr. President, it was my unfortunate circumstance that I was not present in many of the sessions of the Committee on Interior and Insular Affairs when this nomination was officially considered. I therefore hope that other members of the committee will comment at greater length upon this matter than I will.

I merely wish to say that when the nomination was sent to us, there was some evidence given to the Committee on Interior and Insular Affairs in executive session which seemed to reflect upon the nominee for Commissioner of Indian Affairs. I took the responsibility of sending for certain special reports, and also said to the Committee on Interior and Insular Affairs that we would not proceed precipitantly, but take time carefully to consider the nomination.

I feel sure that the committee did consider it carefully, and that each member had an opportunity to examine all the evidence which was placed before it. I believe that the final verdict of the committee is not only in accordance with the desires of the administration to have a good Commissioner of Indian Affairs, but also the desires of the committee to make sure that he will do a good job.

I therefore wish to say that I support strongly the nomination of Mr. Nash, and I hope that the Senate will see fit to confirm the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Philleo Nash to be Commissioner of Indian Affairs?

Mr. DWORSHAK. Mr. President, I had been hopeful that the chairman of the committee would give us a more detailed statement than he did. I want the RECORD to show that the majority

**Page Denied**